

1 Cristina C. Arguedas (CalBN 87787)  
2 Email: arguedas@achlaw.com  
3 Ted W. Cassman (CalBN 98932)  
4 Email: cassman@achlaw.com  
5 Raphael M. Goldman (CalBN 229261)  
6 Email: goldman@achlaw.com  
7 ARGUEDAS, CASSMAN & HEADLEY LLP  
8 803 Hearst Avenue  
9 Berkeley, CA 94710  
10 Telephone: (510) 845-3000  
11 Facsimile: (510) 845-3003

12 *Counsel for Jeffrey Wertkin*

13 **UNITED STATES DISTRICT COURT**  
14 **NORTHERN DISTRICT OF CALIFORNIA**  
15 **SAN FRANCISCO DIVISION**

16  
17  
18 UNITED STATES OF AMERICA, ) No. 17-MJ-70131 (LB)  
19 )  
20 Plaintiff, ) **STIPULATION AND [PROPOSED]**  
21 ) **ORDER CONTINUING**  
22 v. ) **PRELIMINARY HEARING**  
23 JEFFREY WERTKIN, )  
24 )  
25 Defendant. )  
26 )  
27 )  
28 )

---

Jeffrey Wertkin and the United States Attorney's Office for the Northern District of California, by and through their respective undersigned counsel, hereby stipulate and agree as follows:

The date for preliminary hearing or arraignment in this matter is presently set for November 7, 2017.

The government and counsel for the defense are presently engaged in productive discussions concerning the disposition of this matter, but the discussions are ongoing. Counsel for the defense believes that additional time is needed to review the evidence that the government has produced in discovery, evaluate the case and conduct discussions with the government.

Taking into account the public interest in the prompt disposition of criminal cases, there is good cause to extent the time limits for a preliminary hearing under Federal Rule of Criminal Procedure 5.1 from November 7, 2017 to November 29, 2017.

A failure to grant the continuance would deny defense counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence, and under the circumstances the ends of justice served by a reasonable continuance outweigh the best interest of the public and the defendant in a speedy trial.

The defendant consents to the setting of the preliminary hearing on November 29, 2017, as well as an exclusion of time under the Speedy Trial Act from November 7, 2017 to November 29, 2017.

The parties therefore stipulate and agree that the date for preliminary hearing or arraignment should be continued from November 7, 2017 to November 29, 2017 at 9:30 a.m. under the Federal Rule of Criminal Procedure 5.1(d) and 18 U.S.C. § 3060 and that time be excluded under the Speedy Trial Act between November 7, 2017 and November 29, 2017, under 18 U.S.C. § 3161(h)(7)(B)(iv).

//

1 SO STIPULATED:

2 Dated: November 2, 2017

BRIAN J. STRETCH  
United States Attorney

3  
4 By: \_\_\_\_\_/s/  
5 Robin Harris  
6 Assistant United States Attorney

7 Dated: November 2, 2017

8 By: \_\_\_\_\_/s/  
9 Raphael M. Goldman  
10 ARGUEDAS, CASSMAN & HEADLEY, LLP  
11 Counsel for Jeffrey Wertkin

12  
13 **[PROPOSED] ORDER**

14 Pursuant to the parties' stipulation, the Court HEREBY ORDERS that the  
15 preliminary hearing in this matter is re-set from November 7, 2017 to November 29,  
16 2017 at 9:30 a.m. The Court finds that good cause is shown for extending the time  
17 limits set forth in Federal Rule of Criminal Procedure 5.1(c), and, further, concludes  
18 that the extension is proper under Rule 5.1(d) and Title 18, United States Codes,  
19 Sections 3060 and 3161.

20 The Court finds the failure to grant the requested extension would deny counsel  
21 the reasonable time necessary for effective preparation, taking into account the  
22 exercise of due diligence. The Court finds that the ends of justice served by granting  
23 the requested extension outweigh the best interests of the public and the defendant in  
24 a speedy trial and in the prompt disposition of criminal cases. The Court also  
25 concludes that an exclusion of time from November 7, 2017 through and including  
26 November 29, 2017 should be made under Title 18, United States Code, Sections  
27 3161(h)(7)(A) and 3161(h)(7)(B)(iv). The Court also finds that the ends of justice

28 **STIPULATION AND [PROPOSED] ORDER CONTINUING PRELIMINARY HEARING**  
*United States v. Jeffrey Wertkin*, No. 17-MJ-70131 (LB) 3

1 served by excluding the period from November 7, 2017 to November 29, 2017,  
2 outweigh the best interest of the public and the defendant in a speedy trial. *Id.* §  
3 3161(h)(7)(A).

4 IT IS SO ORDERED.

5  
6 Dated: November 2, 2017



7 The Honorable Laurel Beeler  
8 United States Magistrate Judge  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28